

THE MORAL ADVOCATE.

CONDUCTED BY ELISHA BATES.

"On Earth peace, good will towards men."

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No. 2.

The second number of the Moral Advocate has been delayed much longer than was expected at the time of issuing the first. I considered it proper to allow some time, to receive subscriptions from those disposed to patronize the work. And before a sufficient interval had elapsed for that purpose, it became necessary for me to leave home on a journey of some length—Since my return, no more time has been lost than was unavoidable.

The first number was forwarded to sundry individuals, who were not considered as subscribers. In some cases it was intended as offering a specimen of the contemplated work, and in others as a small tribute of respect. It has been mortifying, however, to learn that a large proportion of the numbers sent have been lost, somewhere among the Post Offices.

The favorable reception of the first essay, affords encouragement to believe that the subjects are extensively exciting a lively interest.

In relation to War, it is not to be expected that this scourge of the human race should cease immediately—The change must be gradual. As light is successively diffused, and the humanizing temper of the Gospel extended, War will become more and more abhorrent to the feelings of mankind. This happy change is now going on, and the effects are increasingly evident. Let the christian Philanthropist derive fresh energy from the consideration. The salutary effects of his labours are realized at every advance that is made in the cause, every feeling of reluctance at the idea of promoting human misery is an immediate blessing; it is identified with every thing tender and amiable, every thing laudable and benevolent: every thing that renders man the friend of man.

Dueling, Capital Punishments, and Prison Discipline are all subjects calculated, on reflection, to excite a lively interest in the better part of the community.

In short the whole scope of the Moral Advocate demands the peculiar attention of men of the first circle—Men who are not only guiding the councils of the nation, but in a great measure directing the course of public opinion. On these, much responsibility devolves. The appeal is particularly made to them, and their attention to the subjects is earnestly solicited. But such is the importance of the subjects that every individual in the community, however humble his condition, is in-

terested in them, and can, in some degree, contribute to the accomplishment of the grand objects in view.

Men of talents are invited to forward communications on the subject.

Those into whose hands the Moral Advocate may fall, are requested to give it as much publicity as they can. The more men can be brought to reflect on the subject, the greater progress will be made in the melioration of the condition of mankind.

ED.

From the National Intelligencer.

CRIMES AND PUNISHMENTS.

The inadequacy of capital punishments in the prevention of offences against the laws, has engaged the attention, and called forth the reprobation, of philosophers and moralists in all ages since the institution of penal codes. It is impossible to regard with indifference the inefficacy of public execution in preventing the perpetration of crime.

That these bloody laws were originally enacted for the good of the community, and to deter men from the indulgence of the evil passions, by personally avenging, as well as perpetrating offences, is evident. But that powerful nations, humanized by education, and made wise by experience, should have so long endured this degradation of their species, is surprising. All nations must feel the fullest conviction, if facts can convince, of the failure of the criminal laws in producing their original intention. We have observed, with pleasure, in the recent accounts of the proceedings in the Parliament of Great Britain, that several petitions are before the House of commons, for a revision of the criminal code of that nation. We rejoice at this primary step towards a reformation in the absurd system which affects to reform, when its visible signs have a certain tendency to make men callous.

The spectators of these barbarous exhibitions feel only a momentary shock for pangs so brief. A moment passes, and the most notorious offender is at rest, and his offences sleep with him. The enormity of his crime is forgiven, aggravated as it may have been by the most cruel atrocity, for misfortune is a kindly passport to human feeling. Or it may be, that the victim of the law suffers its penalty for some comparatively trivial offence, and, whilst the criminal is forgiven, the law and law-makers are execrated.

A strong comment upon the cruelty and inequality of the criminal law is furnished by the information recently copied from the English papers. We are told that at the Devonshire Assizes, eleven men and one woman were left for execution. The woman had entered a dairy, and stolen thereout *bread!* It is, perhaps, but justice to add, that she is said to have stolen *butter* also, which, as it is not a necessary of life, might convict her of a propensity to steal. Yet, how infinite the disparity between the crime and the punishment! Humanity shudders at the injustice of those laws, which suffers the unprincipled peculator, who beggars thousands,

to escape unpunished, and punishes *with death* a poor famishing wretch for stealing an article of food to save herself and children from perishing!

The geographical division of Britain comprises upwards of a hundred counties. Of these, England and Wales comprise 53. Those counties are under the judicial cognizance of a certain number of Judges, and, during their late autumnal circuit, the following melancholy facts appear. In *four counties* only, out of 53, *one hundred and twenty-three persons* were condemned and left **FOR EXECUTION!** Can any fact be more striking? Can any language strengthen the impression which such facts can produce, of the cruelty and inefficacy of the criminal code, which the people of England now call for a revision of? For the honor of the christian character, and for the sake of suffering humanity, may this glaring evil be redressed!

A melancholy picture of the state of society, in England, with a view to its amendment, laid before Parliament sometime ago, a recollection of which corroborates the impression produced by the more recent information.

The average medium of population, and of commitments for crime, were taken for seven years in England and Wales, and six years in Ireland and Scotland. It is to be observed that the calculation was made some years ago, and we cannot doubt that the quantity of both crime and punishment have since increased in a proportionate ratio, instead of diminishing. The following short table, extracted from a *Criminal Calender*, by Joseph Hume, Esq. offers but few arguments in favor of refinement and civilization, if we compare the different counties here brought to view. Taking the average as above mentioned, at seven and six years, the result is:

COMMITTED FOR TRIAL.

In Ireland,	of 4,500,000 souls	2,644, or 1 in 1,702
In England,	9,499,400	4,777, or 1 in 1,988
In Scotland,	1,804,864	89, or 1 in 20,279
In Wales,	607,380	72, or 1 in 8,436

Mr. Colquehoun calculates that there are every year committed for trial in England and Wales, classed together as being under the same personal jurisdiction, though certainly unfavorably to Wales, 4,395 at Quarter and General Session; by magistrates out of court 3,000, which added to the 4,777 at the assizes above stated, will form an aggregate of 12,172 offenders committed yearly, in a population of little more than *ten millions of souls!*

Will not every friend of humanity, whether on *cis* or *trans-atlantic* shores, rejoice at the probability of the amelioration of the British criminal code? At present the capital offences are upwards of an hundred and fifty in number, and to maim a cow, or to kill a man—to destroy a tree, or to burn a house, if intentionally committed, are equal crimes in the jaundiced eye of the law.

We speak of the code of Great Britain because presented more immediately to our view by the facts above referred to; not that we

consider the criminal laws, of the several states, nor even that of the United states, very much better than those of Great Britain, of which they were originally close copies. Capital convictions are indeed comparatively rare; but that is, in a great degree, owing to the sparseness of our population and the diminished temptations to crime. Executions are much more rare than the capital convictions, which decisively proves that the feeling of the present age revolts at punishments devised prior to the general diffusion of education, and not adapted to the human condition as improved by that agency. Punishments proportioned to offences, and certainly inflicted upon conviction, must be much more efficacious than punishment so severe that the clemency of the Executive is continually interposed between the convict and his sentence. Circumstances which have occurred within a few days shew, most strongly, that there are defects in our present system. In Massachusetts, a lad of 17 has been put to death for setting fire to a house; in Rhode Island, at a distance of fifty miles, more or less, a man, convicted of the same offence, was sentenced to two years imprisonment, and to pay a fine of five hundred dollars. Both these cannot be right. Truth and justice are immutable. Their decisions should be uniform, and not different at every degree of latitude.

The Penitentiary System has ever appeared to us and yet appears, to be the only practicable mode of ameliorating our penal codes. In several states, it has already been established, with various success indeed—but a variety incident perhaps to all systems not well matured, nor yet fully understood. We hope to see it pervade the Union; and in particular that the experiment shall be made in this District.

Solitary confinement can have the power to repress crime, and reform mankind, and at the same time pay the retributive penalty of criminal violations of the law. The certainty of punishment must surely operate more forcibly than the severity of it. The criminal law which now prevails, bloody as it is, has many loopholes through which an offender may escape the punishment affixed to his crime. We recollect a trial for wilful, perhaps aggravated, at all events unprovoked murder, where the prisoner escaped condign punishment from a flaw in the indictment, and this of no greater magnitude than misspelling a single word, and this word neither the proper name of the deceased, nor of the pannel. If public executions can ever be tolerated, it is surely in the case of wilful murders. But, if reformation be the true and legitimate end of punishment, then the gallows is not the best possible mode of effecting it. The law may, indeed, hang *one man*, to prevent *another* from committing a similar offence, but even were this effect always produced, neither justice nor mercy can be found in such a procedure; and yet such is the general principle of the criminal code, whatever its abstract operation may be.

In *solitary confinement* the violater of his country's laws is a perpetual beacon to warn men from the rocks on which fame, fortune, and happiness, have been wrecked. He is always *there*—The dreary loneliness, the appalling stillness, the frightful desolation of per-

petual solitude, without the knowledge or hope of commiseration, is beyond idea terrible. This is, indeed, a *punishment* more dreadful than death itself—but it carries *reformation* in its plan. It is a living sacrifice to expiate crime: it affords a deep and impressive lesson, because it is always in recollection whilst natural life exists, and, above all, it leaves to the Solitary, time and opportunity to make his peace with Heaven. For crimes of lesser dye, a *penitentiary* is not less desirable. There the retribution is *certain*, and to labor is perhaps the severest punishment that could be inflicted on the idle and vicious. Neither the carelessness of Lawyers, the natural unwillingness of Juries to convict a fellow-being, whose life must be the probable forfeit of their verdict, nor the clemency of the pardoning power, will, under such a code, defeat the intention of the laws. The mind that would revolt at dooming a man to die, would feel no repugnance to condemn him to compulsory labor, for a term proportioned to the magnitude of his offence.

[COMMUNICATED.]
ON WAR.

I rejoice that the way is open for a developement of those truths which relate to the peace of Messiah's kingdom, through the medium of a periodical publication. Distance of place, does not lessen the solicitude of feeling, in my mind. May not the efforts of the friend of man, in this glorious cause, cease until *swords shall be beaten into ploughshares, and spears into pruning hooks, and nations learn war no more.*

It is very common for men to urge in justification of war, that Christ paid tribute to Caesar; and from thence that we are bound to comply with the military exactions of civil government. Thus the spotless character of Jesus Christ, is touched as with sacrilegious fingers.

Read 17 Mat. 24, 27. "Lest we should offend them." He was averse to involving himself in that manner with the civil rulers; which would have obstructed the great work that he was accomplishing. "What thinkest thou, Simon, of whom do the kings of the earth take custom or tribute? of their own children, or of strangers? Peter saith unto him, of strangers. Jesus saith unto him, then are the children free." From this may be deduced a powerful argument against the subjection of the children of this kingdom to any of the coercive laws of civil government in favour of war. And this upon his own declaration "my kingdom is not of this world, else would my servants fight."

Read also 22 Mat. 15 22. This is evidently misunderstood, or knowingly perverted. It may be necessary to copy the whole paragraph, that the propriety of the answer, may be elucidated by the treacherous design of the inquirers. "Then went out the Pharisees, and took counsel how they might entangle him in his talk. And they sent out to him their disciples with the Herodians, saying, master, we know that thou art true, and teachest the way of God in truth, neither carest thou for any man, for thou regardest not the persons of men: tell us therefore, what thinkest thou? Is

it lawful to give tribute unto Caesar, or not? But Jesus perceived their wickedness, and said, why tempt ye me, ye hypocrites? show me the tribute money, and they brought unto him a penny. And he said unto them, whose is this image and superscription? they say unto him, Caesars. Then, saith he unto them; render, therefore, unto Caesar the things that are Caesar's, and unto God, the things that are God's."

The enemies of Mesiah approached him with expressions of high regard for truth, and of respect for his disregard of the fear of man. But he discovered through these a design against his life, by leading him inadvertently to an act of rebellion against the Roman Government. The time of offering himself a sacrifice, had not arrived; and this to be accomplished by his own nation, he silenced them by a sharp reproof for their hypocrisy, and a direction to give that to Caesar which had his image and superscription upon it.

I would here propose a question, which may not have been suggested, or not decided, in the minds of those who vindicate war. Has *conscience*; or the *soul*; any voice, or interest in carnal warfare? Can the happiness of the soul be best promoted by withdrawing from it, and espousing the cause of "peace on earth?" Or, can it be lessened, or lost, by a subjection to the spirit of war? The very important question should be settled by the standard of *truth*. Nor need every one seek the decision of men. That which sits in judgment in the secret of the mind, will answer. Conscience itself will testify; and, if it is yielded to, the spirit of the "everlasting Father" confirms the testimony, by occasionally, as it were, dropping into the soul the dew of heavenly love.

Those who are desirous of maintaining the pacific principle, not so much regarding the sacrifices required, are established in the belief that the spirit of war excludes happiness from the soul. The tranquility resulting from it, is more precious than all the world without it.

To those who vindicate war; permit me now to appeal to that in you which will speak the *truth*, if it be allowed to speak; have you not known that the law of *love*, was the law of God, and the consummation of happiness? Have you not known that the law of carnal warfare, was averse to the soul's happiness; and tending to the consummation of its wretchedness?

Do you reply; we do not wish to violate this heavenly law? Submission to military law and discipline, is a tacit declaration, that at the command of government, you are ready to take the field of war, and unite in spreading devastation and death, amongst the children of the same common father. *Has conscience no concern in this?*

We certainly owe cheerful subordination to those civil laws which do not contravene some express law of the gospel. The great head of the church by precept and example, has laid us under paramount obligations to the divine law; and his own death, and the martyrdom of all the martyrs, prove priority of claims to obedience.

"Shew me a penny, whose is this image and superscription? They say unto him Caesars. I desire, as under a sense of the solemnizing concerns of *eternity*, that each individual may retire to his desk, or his closet; or, to any place where he can find his soul; and, when found, to examine it all over, as in the presence of God, and see, *whose image and superscription hath it?* Was it Caesars? Was it the civil governments? Has it the pompous titles of worldly dignity? Has it the martial discipline inscribed, or implements of death, engraven upon it? Has it any idol portrayed upon it? Is the texture so hard, that the power of divine love cannot soften it? Nor a sense of the immaculate Saviour's voluntary sacrifice of himself *for his enemies*, obliterate the impression? Or, has it a susceptibility of the feeling of gospel love, and the law of God imprinted upon it, by his own divine operation; bearing *his own image*?

"Render therefore unto Caesar, the things that are Caesar's and unto God, the things that are God's." If the former have a claim upon thy soul, render it accordingly. But if the latter, render it to him! *O, important thought, WHICH OF THEM WILL TAKE THE BEST CARE OF IT.*

JUSTIN.

Although the following article has appeared in print, its publication has been in a rather loose way, and as the Moral Advocate is designed to present, in a permanent form, such valuable essays on the subject, as may fall into the hands of the editor, it is thought best to republish it.

The author did not design it for publication, and had he lived, it is probable his delicacy would have withheld it from the public eye.

Ed.

TO A MEMBER OF THE LEGISLATURE OF VIRGINIA.

The friendly manner in which we discussed together the principles of our memorial, (now before the legislature,) induces me to hope that a few additional observations will receive a candid and impartial consideration.

It would be useless, I apprehend, in introducing this subject, to enter into any minute inquiry respecting the nature and extent of the rights of men in society; or to examine any of the various theories of government, to find in how many ways these rights have been abused. The American people understand this subject—they did not, in establishing the empire of liberty on the basis of equal laws, look to the pittance of privilege which had, in different ages, been extorted from bigotry, or wrung from the grasp of power. No—they were men, and conscious of their rights—they were brethren, and saw their rights were equal. To preserve them, they did not set up human beings, like themselves, with crowns and mitres on their heads, and commit to their ambition, cupidity and caprice, for safe-keeping and distribution, those sacred immunities with which their Creator had endowed them, which he had made co-existent with mind itself, inherit and unalienable.

It was to preserve to themselves these inestimable blessings, to transmit them to their children; to guard them forever from usurpation; that, viewing the whole ground of polity with a discriminating eye, they declared irrevocably, that conscience belongs to God; and civil government to the people. On this principle their whole political structure is erected: hence the law emanates, and every power in the government is bound by its authority. So it stands upon paper—but how does it operate in practice? Is the liberty of conscience indeed preserved inviolate? Do the laws impose no other restraint on religious freedom than are sufficient to preserve the peace and order of society? Are none of the honest and inoffensive inhabitants of this commonwealth taxed, fined or harassed, in their persons or property, on account of their religious tenets? These are questions on which the patriot and statesman may ponder, but the answer is obvious and undenial. The liberty of conscience is abridged: the laws do impose other restraints than those contemplated by the act establishing religious freedom—and a number of peaceable and useful citizens are exposed to fines and penalties on account of their religious principles. How is this infraction of natural and constitutional right to be accounted for? It will not be said that either these people or their principles were unknown, when the declaration of rights was made, and the form of government established. It will not be pretended that they were excluded from the common privileges of citizens and the common rights of humanity. No, but it is said that the government must be defended; and they have therefore enrolled for the purpose of learning the use of the firelock and bayonet, and for acquiring the art of inflicting death with the greatest expedition and effect, men whose religion is a system of universal benevolence, who believed that God Almighty forbids animosity, revenge and violence, and who are assured that disobedience to his commands involves dreadful and eternal consequences.

This society maintains, with the framers of our constitution, and in conformity with the repeated declared sense of the American people, that government has no right to bring the laws of God and man into competition: and that there exists no authority in any department thereof to cancel, abridge, restrain or modify, the liberty of conscience. When this declaration was solemnly made, the last time by the people of this state, and reciprocated by the whole union, the Society of Friends were exempt by law, as well as by their constitutional privileges, both from militia duty and personal service in war. Did not the law which afterwards subjected them under heavy penalties to all the requisitions of the military system, abridge liberty of conscience which had been thus solemnly guaranteed? and if it did, ought not an evidence of the fact and an appeal to the justice of their country, to be sufficient to restore them to their rights? The fact is undenial, the appeal is made, and its success perhaps, ought not to be doubted. But, in the mean time, the subject is variously canvassed, and many objections and difficulties are thrown in the way. We have referred, in our memorial, to the rights of conscience as a natural and constitutional privilege—but we are told that the liberty of conscience is an abstract principle, and as such, is not to be relied on in particular cases! What is an abstract principle? Is it some remote uninteresting truth, which may be indifferently remembered or forgotten? or is it some

proposition to which the understanding assents, but which is still to be tested by experience? Now it cannot be supposed that the men selected by the people to mark out the boundaries of the laws and to fix the limits of power, in a great, free and enlightened nation, would so insignificantly employ their time and abuse their trust, as to set down as a declaration of rights, any random proposition that might chance to occur to their recollection, as true. The fathers of American liberty did not attract to themselves the gratitude of their country and the admiration of the world, by writing merely what was true, but for selecting the very truths they meant to establish; for drawing an insuperable, unalterable line of separation between those powers which a free people may confide in their government, and those inherent and unalienable rights which they retain to themselves. It was expressly for the preservation of these rights that the constitution was formed. Its barriers were laid strong and deep around them, and wherever they are broken down, tyranny and oppression will resume their course. Nor can it be thought that this liberty of conscience was introduced as a new or untried principle. The statesmen of our country were not such novices in the subjects of law and government, or so unacquainted with human nature as to suppose that the right of conscience had never been tested. Nor would they, if such had been their opinions, expose the nation to difficulties! No these men understood their subject: its nature, its history and its importance, were familiar to their minds. They knew how readily the pride of opinion and the possession of power, combine to produce intolerance. They knew that a denial of these rights constitutes the worst species of tyranny. Nations have groaned for ages under its influence: and to preserve this country from a similar fate, they held forth the rights of conscience, not as an abstract metaphysical notion, but as a living, indestructible privilege, of which no law should ever deprive a citizen.

But why was it necessary to guard these rights with such anxious solicitude? Why enshrine them in the constitution, and protect them with such jealous care from the power of the legislature? Is not the government derived from the people? Is it not administered by their agents, and solely for their benefit? And cannot the people be trusted with the guardianship of their own privileges? The answer is plain—a government of the people is necessarily a government of the majority; but the majority, if they are not bound by constitutional restraints, may, in securing their own rights, overlook or violate the rights of others. But would it not be mockery to tell the minority, under these circumstances, that they ought not to complain—that their country is a free republic, and themselves integral parts of the sovereign authority? Would they not be sensible that their rights and liberties depended on the will, and lay at the mercy of individuals: and that, however many or few those individuals might be, and under whatever forms their proceedings might be conducted, an arbitrary government is still a despotism, and the subjects of it are slaves? Hence the necessity of constitutional restrictions; and when they are properly established—when the government simply occupies the ground on which it is placed, and exercises only the powers which have been submitted to its discretion—the decisions of the majority become the legitimate rules of action; and every member of the community (whatever be his opinion of their wisdom or expedience) is bound to obey them. This is presumed to be the true definition of a free government. But of what avail, under any form of government, is the attempt to enslave the mind? **As soon**

would the academy devise means to arrest or control the revolution of the solar system, as the legislature of any country find laws that would bind the free spirit of man. How long has tyranny tortured its invention and varied its apparatus for discovering this grand desideratum?—Creeds, tests, and anathemas have been tried—stripes, fettters, and dungeons, have done their best—racks, flames, and gibbets, have exhausted all their powers, & all have ended in miserable disappointment—and is it not extremely difficult to conceive how the notion ever came to be entertained, on this side the atlantic, that the thing is still practicable? The genius of our country did not borrow even the mildest feature of such a system; and it certainly is not congenial with our habits of thinking, to suppose that the mind may be fettered by putting a chain upon the legs; or that a man's heart can be divested of its convictions by a warrant to take his cattle. But, admitting that the liberty of conscience is both a natural and constitutional right, and that it is physically impossible to control the free agency of the mind, still, it is contended, an expedient may be found which shall protect those rights from violation, and at the same time satisfy the law, which would otherwise infringe them.—Thus—if the legislature enjoin the performance of certain duties, on which it is supposed, the very existence of the government depends, and those duties happen to interfere with the constitutional rights of any individual, let that individual pay an equivalent, and be excused. If it be a military service, for instance, and his religious principles forbid him to fight, let him pay a tax for the support of schools, and make the tax equal to the military service. The argument, fairly stated, stands thus: the legislature shall not restrain the free exercise of conscience: but they may levy a tax upon the advantages derived from the exemption. Have I any objection to the support of schools? Far from it—I should rejoice to see knowledge and virtue diffused among the lower classes of society; I would cheerfully pay an equivalent for the purpose, and might even be disposed to encourage it by a voluntary contribution; but when I pay a partial tax—a fine, I am neither discharging the common duties of a citizen, nor doing an act of benevolence. I am paying a debt—and for what consideration? Plainly for being allowed to enjoy the liberty of conscience. But I do not derive the liberty of conscience from the government; I hold it from a tenure antecedent to the institution of civil society. It is secured to me in the social compact, and it was never submitted to the legislature at all. They have, therefore, no such privilege to grant or withhold, at their pleasure; and certainly no pretence or authority to sell it for a price. It appears then, that this exclusive tax for the support of schools, is a groundless and oppressive demand. It is a muster fine in disguise—and violates the very principle which it seemed to respect.

But is it not unreasonable, it is asked, that our fellow citizens who believe war to be allowable, and necessary, should be subjected to the hardships and privations incident to the training and service while we, under the protection of our religious privileges, enjoy a complete exemption? We answer no. If those citizens do

believe that war is necessary for their defence; if they conceive it to be their duty and their interest to fight, if it accords with their religious principles to repel aggressions by the sword; if in the full exercise of their privileges, they give to the government authority to command them in those services; this is their own act, and they cannot complain of the consequences. But a man is not the judge of his neighbor's conscience, and if the powers they surrender for themselves involve the constitutional privileges of others; they are binding only on those who have consented to them.

May I inquire what it is that constitutes the obligation to fight for one's country? I mean to apply the question to a free people—for under a despotism the will of the master is the obligation of the slave.—What is it, then, in a free country that induces a man to go to war? Is it not for the protection of his rights? But what rights has he to protect, whose most essential privileges are already wrested from him? Or is it the interest which every individual feels in preserving his property—his home, his children and his friends? Have not all some interesting attachment—have not all some endearing objects that cling about the heart? Is not the aggregate of these their country? Every man, therefore, engaged by common consent, in a defensive war, considers that he is fighting for himself and his domestic enjoyments: his home is identified with his country—and he is using those means which his own reason and conscience approve for its defence. We too have homes, and a little property, and children and friends, whose welfare is dearer than life. We too connect them with our country, and for their preservation would make any sacrifice which our reason and conscience would approve. But these forbid us to fight. The Being from whom we derive life and its enjoyments: the God that judgeth the earth, has a right to prescribe to his creatures the conditions upon which his blessings shall be obtained. It is their duty to yield obedience, and in all events, to trust to his divine providence for support; or, would it be better (as this might thwart our ambitious views, repress our pride, or interfere with our own plans of safety or success) to have a system of our own, adapted to what we conceive to be the true state of the world, and its moral government, and take our defence into our own hands? This appears to have been the prevailing opinion, and what is the consequence? The earth is filled with violence. Every nation is either preparing for war, or engaged in actual hostilities, and every man is required to cherish in himself those dispositions, and to acquire those habits of dexterity and skill which shall render him an efficient and powerful instrument of death in the hands of others. The army cannot deliberate,—the soldier cannot reflect—he is no longer to consider himself as a free agent—as an intelligent and reasonable being, acting under the law of conscience with an awful responsibility to his God; but on subjects involving life and death and future judgment, he is simply required to obey his orders—and leave the question of right and wrong,—the termination of his existence here, and his hopes of happiness hereafter, to be tested by the policy of his government and the opinion of his com-

manding officer. And yet war is neither necessary nor generally successful in obtaining justice, or supporting truth. Power and justice are inseparable concomitants, only in the Deity, & the existence and prevalence of war, mark but the depravity of man, and his tremendous capacity for doing evil. What does it avail the human race that the tide of conquest and devastation have rolled from east to west, and west to east, and that thousands and millions of our fellow creatures have been cut off in the midst of their days, and sent, fresh from this life to death, burning with fury and panting for revenge into the presence of a just God, to receive their eternal destination? Why should I recount the horror and the miseries that follow in the train of war, and triumph in its ravages? Who has not reflected on the subject, and who does not deplore the wretched state of human nature, whether in producing or suffering these disgraceful calamities? And is there no redress? Does there exist no power on earth or in Heaven to arrest them?—There is, my friend; it were impious to say there is not. There is in the religion taught by Jesus Christ,—which is able to reconcile us to God and to one another. It can divest the heart that receives it of its propensities to wrongs and violence for its sake. Thousands of living witnessess bear testimony to this divine principle. Thousands who would suffer any privation or punishment rather than impede, by their example, its influence and increase. And ought it not to console the friend of his country, and of his species, to see its truth, and to be assured, by indubitable evidence, that it is possible to return good for evil—to love our very enemies, and for man, in all situations, to be the friend of man?

I am with, much respect, thy friend,

BENJAMIN BATES.

WAR.

On taking up this subject in a connected series, it seems not inconsistent with the design, to give a concise view of the practices of past ages in relation to war, together with the different dispensations, which have been successively introduced into the world.

The first consideration that strikes the mind on taking up the subject, in this point of view, is that God is unchangably the same through all ages, and that he has led his creature man through successive advances, or dispensations to that peculiar display of his excellence and his attributes, and our relation to him and to one another, which was made by the personal coming of his beloved son.

Man in the fallen nature being outward in his views, dark in his ideas, and much under the dominion of the passions which he possessed as a creature, and these continually tending to depravity, it pleased divine Goodness to constitute a course of instruction, which the Apostle very aptly illustrated, by comparing it to the tuition which we receive in schools. In these we know that we begin with first prin-

plies, and the higher branches of science are passed over in silence, till the pupil is prepared to receive them. Thus also the Being, Omnipotence and Omnipresence of God, were revealed, and the manner of the revelation, was suited to the state of the human mind at the time. It was much outward, and addressed to their outward senses.—The obligations of gratitude and love to him, necessarily arose as the first duties; then the duties we owe to each other took the second place. These were, after some time, summed up in the following concise manner. “Thou shalt love the Lord thy God with all thy heart, and with all thy mind, and with all thy strength, and thy neighbour as thyself.” These, said Christ, “are the first and great commandments, and on these hang all the Law and the Prophets.” From the first arose obedience to his commands, and confidence in his power and protecting care. The second was but a modification of the first; but, thus constituted, it became the fountain of our amiable feelings, sympathy, humanity, charity and all those fine sensibilities that exalt the human character.

From the earliest periods of time down through successive dispensations, one striking feature was conspicuous in the dealings of the Almighty with mankind. To impress them with a sense of the reality of his **BEING**, the perfection of his **WISDOM**: and the sufficiency of his **POWER**, to preserve those who yield obedience to his laws. Even while in condescension to their weakness they were permitted to defend themselves—they were instructed that their success was not dependent on themselves, and often the most singular deliverances were accomplished, by the immediate interposition of supernatural power. Thus when they were prosperous, it was a Divine blessing—When they suffered under pestilence, famine or sword, it was a chastisement from the hand of an offended God.

The permission to wage war, was not given without limitation to the Jews. It assumed much more the cast of a *general prohibition*, with permission specially given in particular cases. Not only every war, but frequently the particular battles required that the Oracle should be consulted. And the permission thus given, never authorised a subsequent transaction of the same kind. Nor did it establish a general principle any more than the ordinances in relation to marriages which “were given for, (or in consequence of,) the hardness of their hearts.” On the contrary they “were acts of grace—in pure condescension to the weakness and unpreparedness of mankind at the time.”

In the establishment of the Jewish polity, certain institutions were given them, which seemed so to clash with the prevailing policy of that day, as to leave them exposed to the hostile attacks of the neighbouring nations, particularly the feasts, which required that all the males should attend at Jerusalem three times every year. They

knew, according to the usages of the age, that they would leave their country completely exposed. But to the commandment, the promise was annexed: "I will cast out the nations before thee, and enlarge thy borders, neither shall any man desire thy land when thou shalt go up to appear before the Lord thy God thrice in the year." Ex. 34:23. This promise, like all others from the same source, was fulfilled, while the conditions were observed. Nor was this kind of supernatural interposition confined to a few particular cases. It was general, on the same grounds—conformity to the Divine institutions. This was an important lesson which was inculcated in a variety of forms—it was impressed in the most irresistible manner. It was never lost sight of through all ages and dispensations, because it was peculiarly necessary to prepare the human mind, unhesitatingly to assent to the perfection of Divine Wisdom in all his institutions for the regulation of human actions, and to repose in humble dependence on him, and his protecting care. Thus the great work of instruction progressed. On the one hand, the Wisdom, Power, and Parental Care of the Almighty over his dependent creatures, were more and more displayed: and on the other, the human character rose to higher attainments—became more under the government of the Divine influence, and strong in operative Faith, until by the coming of the Messiah, the Divine attributes were revealed, and the relation between the creatures and the Creator, completely unfolded. The believer in God, was not only led to believe in his son—but to believe also in the excellence of his precepts, and in the possibility of living up to them, through his immediate aid—a conclusion much weakened; and obliterated from the minds of professing Christians at the present day.

But returning to the events of early ages, it is observable that *after* man had lost that innocence, and purity which he possessed as he came from the hand of his Creator, one of the first acts of a flagrant nature was an act of *violence*; for the spirit which separates man from man, is the same which separates him from his maker. Thus it was only in the fallen nature that the murderous spirit found admission. It did not remain confined to a single individual, but took an extensive range, till the "Earth was filled with violence." This state of things was a total, subversion of the order which was designed for the rational creation, and drew down an ever memorable chastisement on that race, who had received the appellation of "men of renown."

After the general deluge, when men began to multiply, even while the destruction of the old world was fresh in memory, a disposition discovered itself to render themselves independent of Divine protection. Hence the novel idea of building a *TOWER* by which they might raise themselves above the reach, even of chastisement from the Almighty. Very early after this event, pagan darkness spread over the

earth—and the nations became involved in the grossest ignorance, in relation to the attributes of the Supreme Being. A family was chosen, in whom, by peculiar dealing, and demonstrations of goodness, to perpetuate the knowledge of the true God. It was this family that was put under the tuition of the Law, as of "a Schoolmaster," to prepare them, and through them, the rest of mankind, for the coming of a dispensation designed to raise man above the fallen nature, and from under the power of darkness, and the dominion of the corrupt passions, "into the kingdom of the dear son of God," which consists in righteousness, and peace, and joy in that Divine Principle of Love which pervades the whole.

(To be Continued.)

TWO DUELS.

There is probably not an individual of respectable standing in the community, who does not, in the abstract, condemn the practice of Dueling. But the notions of false honor, and the force of example, together with the passion of revenge, exercise a control over the the actions of men, altogether inconsistent with the dignity of reason and virtue.

It may not be irrelative to the subject, to mention two cases that have occurred, in which the dread of public opinion, appeared to be the motive which operated most powerfully in producing these unhappy "affairs of honor."

The first I shall mention is that of Alexander Hamilton and Aaron Burr.

Alexander Hamilton, previous to the difference with Burr, had made the practice of dueling a subject of much serious reflection; and deliberately formed a judgment, that it was improper and ought to be abandoned. It could not have escaped his penetration, that to do this, the popular opinion must be set at defiance, by those who may be called on to settle disputes in this barbarous and irrational manner. In fact this was the result of his cool, unbiased judgment. But when his principles were brought to the test, he lacked genuine courage. Yes, he acted the coward. He could face death, but he could not resist an opinion, which he knew was beneath the notice of the real great man. He concluded that if he declined the challenge of Burr, it would deprive him of the opportunity of serving his country, on future occasions. Delusive idea! They met. And what was the consequence? He was lost to his country and his family also. His country not only lost his future services, but received an injury, in the effect of

his example, in supporting a practice, which snatches from society many, very many, who might have been its brightest ornaments.

It unfortunately happens that men sometimes persuade themselves that it is inconsistent with the dignity of their character to enter into a cool, conciliatory explanation of differences that happen to arise between them. This was no doubt the case with Com. Decatur, and his antagonist, Com. Baron. The discussion of the subject of dispute between them, was carried on in true military style, until they met on the fatal spot. A short conversation then took place, "Baron" says Decatur, "this is a very foolish business we are about." "I know it," says the other, "but there is no help for it"—There was no help—even their friends afforded no help—They prepared and fired, and both fell—They were both still alive and able to converse, but now looked forward to the awful prospect before them.—

Another interview was desired. A question was asked, comprised in a few words. The answer was as concise—"Had you told me this before," said the dying Decatur, "we should not now have been in this situation." What a spectacle! Two men, high in office, and high in public opinion, surrounded by their mutual friends, carrying on a quarrel for several months, till it was brought to a bloody close, when a conversation of less than half a minute might have explained the whole business, and left them mutual friends, happy in the esteem of their fellow citizens and in the more endearing circle of bosom friends.

It may perhaps be considered indecorous to use the names of persons still living, but they have given an example to the world which for the sake of posterity should be set in its true light.

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